

PARKER IBRAHIM & BERG LLP
JOHN M. SORICH (CA Bar No. 125223)
john.sorich@piblaw.com
MARIEL GERLT-FERRARO (CA Bar No. 251119)
mariel.gerlt-ferraro@piblaw.com
695 Town Center Drive, 16th Floor
Costa Mesa, California 92626
Telephone: 714.361.9550
Facsimile: 714.784.4190

Attorneys for Non-Party JPMORGAN CHASE & CO.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DAVID HOUGH; *et al.*

Plaintiff,

v.

RYAN CARROLL; *et al.*

Defendants.

CASE NO: 2:24-cv-02886-WLH-SK

**DECLARATION OF TAMIKA A.
HULL IN SUPPORT OF
OPPOSITION TO MOTION TO
COMPEL WELLS FARGO BANK,
N.A., AND HOLD IN CONTEMPT
HSBC BANK USA AND JPMORGAN
CHASE & CO. [DISCOVERY
DOCUMENT: REFERRED TO
JUDGE STEVE KIM] BY NON-
PARTY JPMORGAN CHASE & CO.**

Hearing: August 28, 2024
Time: Not identified

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DECLARATION OF TAMIKA A. HULL

I, Tamika A. Hull, declare as follows:

1. I am a Transactions Supervisor, with JPMorgan Chase Bank, N.A. ("Chase Bank"). I have personal knowledge of the facts set forth herein and have reviewed the relevant business records where indicated. If called as a witness in this matter, I could and would competently testify to the facts stated.

2. I submit this declaration in support of JPMorgan Chase & Co.'s ("JPM&C") Opposition to the Motion to Compel Wells Fargo Bank, N.A. and Hold in Contempt HSBC Bank USA and JPMorgan Chase & Co. [Discovery Document Referred to Judge Steve Kim] (the "Motion").

3. My role with Chase Bank is as a supervisor within Chase Bank's National Subpoena Processing ("NSP") group. Within my supervisory role, I supervise transaction specialists that review, research and process materials and documentation, as it relates to subpoenas. As a result of my employment with Chase Bank, I have access to relevant business records of Chase Bank, which records contain entries made in the regular course of business at or near the time of the events reflected therein. I have reviewed business records relating to the subject Motion and underlying subpoena. The records I have reviewed include the relevant business records received from Chase Bank and JPM&C's agent for service of process, CT Corporation System ("CT Corp.") with regard to the subject Motion and underlying subpoena (such as dated transmittal documents).

4. These records reflect that CT Corp. received a package from the Banks Law Office, PC on July 12, 2024 and transmitted that package to JPM&C (the "July 12, 2024 Package"). The July 12, 2024 Package was sent by U.S. Mail and contained a copy of a July 2, 2024 letter from attorney Nico Banks, as well as enclosures (June 19, 2024 letter, copy of the May 19, 2024 subpoena, and July 1, 2024 court order [Document 81]).

5. In response thereto, and because JPM&C is a holding company and does

1 not have possession, custody or control of account/bank documents, the July 12, 2024
2 Package was routed to Chase Bank's NSP group, for which as noted, I am a supervisor.
3 NSP received the July 12, 2024 Package on July 15, 2024.

4 6. On July 16, 2024, NSP left a message for attorney Banks advising that the
5 incorrect entity was identified in the subpoena.

6 7. NSP then issued a letter dated July 17, 2024 responding to the July 12,
7 2024 Package. A true and correct copy of the July 17, 2024 letter is attached hereto as
8 Exhibit A.

9 8. In the July 17, 2024 letter, NSP explained that JPM&C is not the
10 appropriate entity to subpoena based upon the scope of the subpoena requests. NSP then
11 identified JPMorgan Chase Bank, N.A. as the appropriate entity for credit card,
12 depository, checking, savings, mortgage, and loan records; and, identified J.P. Morgan
13 Securities LLC as the appropriate entity for securities and investment records. NSP
14 requested that counsel serve a properly issued subpoena addressed to the correct
15 entity/entities in order for the materials to be produced.

16 9. Furthermore, on July 18, 2024, NSP contacted attorney Banks again and
17 requested an extension to August 16, 2024.

18 10. The business records do not reflect that Banks informed NSP of the
19 pending Motion at the time of the July 18, 2024 conversation.

20 11. The business records reflect that NSP again spoke with attorney Banks on
21 July 25, 2024 to discuss the scope of materials sought by the subpoena. The records do
22 not reflect that attorney Banks informed NSP of the Motion at the time of the July 25,
23 2024 conversation.

24 12. The business records reflect that CT Corp. received a package from the
25 Banks Law Office, PC on July 23, 2024 and transmitted that package to JPM&C (the
26 "**July 23, 2024 Package**"). The July 23, 2024 Package was sent by U.S. Mail and
27 contained a copy of the subject Motion dated July 16, 2024, affidavit of Nico Banks
28 with exhibits, and proposed order.

1 13. In response thereto, again because JPM&C is a holding company and does
2 not have possession, custody or control of account/bank documents, the July 23, 2024
3 Package was routed to Chase Bank's NSP group. NSP received the July 23, 2024
4 Package on July 29, 2024.

5 14. At no time did JPM&C or Chase Bank state to Plaintiffs' counsel that
6 documents would not be produced if an appropriate subpoena was received. Instead, as
7 noted, NSP advised that subpoenas would need to be issued to the appropriate entities
8 in order for such production to be made.

9 I declare under the penalty of perjury under the laws of the United States of
10 America that the foregoing is true and correct, and that this declaration is executed on
11 August 7, 2024, at Fort Worth, Texas.

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13 Tamika Hull Date: 8/7/2024
14 Tamika A. Hull
15 Transactions Supervisor
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EXHIBIT A

RCO Centralized Mail
Mail Code LA4-7300
700 Kansas Lane
Monroe, LA 71203-4774
7/17/2024

Case Name: DAVID HOUGH ET AL. V. RYAN CARROLL ET AL.
Case No.: 224CV02886;224CV2886WLH-SKX
JPMorgan Chase File No: SB1604958-F2

To Whom It May Concern:

JPMorgan Chase Bank, N.A. has received your request in connection with the matter referenced above. JPMorgan Chase Bank, N.A. will not release information in its possession, custody or control without being served with a new, properly issued subpoena that is in compliance with the applicable state and court guidelines and addressed to the proper entity for the records sought.

JPMorgan Chase Bank, N.A. will be complying with the records addressed to JPMorgan Chase Bank, N.A. . If additional entities are required, please submit a newly issued subpoena for the additional entities.

JPMorgan Chase Bank, N.A. will not be able to comply with this request because it was:

- ☐ Improperly issued.
- ☐ Missing certification.
- ☐ Addressed to an incorrect or non-existent entity.

****For informational purposes only, the following is a list of potential entities, and the records they may hold:**

- JPMorgan Chase Bank, N.A. (credit card, depository, checking, savings, mortgage, and loans)
- J.P. Morgan Securities LLC (securities and investments)

If you still would like the requested materials, please serve a properly issued subpoena and make sure it's addressed to the corrected entity/entities.

We are not processing payments at this time. If you sent in a prepayment, your check has been documented as received and was destroyed. If you sent in cash as a prepayment, the cash has been converted to a money order and returned to you under separate cover. If you sent in a money order as a prepayment, the money order has been returned to you under separate cover.

If you have questions, please call our Customer Service Center at 1-844-751-7728. We're here to help Monday through Friday from 8:30 a.m. to 7:00 p.m. Eastern Time.

Sincerely,

National Subpoena Processing

Subp78
JPMorgan Chase Bank, N.A. Member FDIC

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF ORANGE

David Hough, et al v. Ryan Carroll, et al

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My address is 695 Town Center Drive, 16th Fl., Costa Mesa, CA 92626.

On August 7, 2024, I served the foregoing document **DECLARATION OF TAMIKA A. HULL IN SUPPORT OF OPPOSITION TO MOTION TO COMPEL WELLS FARGO BANK, N.A., AND HOLD IN CONTEMPT HSBC BANK USA AND JPMORGAN CHASE & CO. [DISCOVERY DOCUMENT: REFERRED TO JUDGE STEVE KIM] BY NON-PARTY JPMORGAN CHASE & CO.** on the interested parties in this action.

☒ by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

☐ **BY REGULAR MAIL:** I deposited the sealed envelope with the United States Postal Service with the Postage fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

BY THE ACT OF FILING OR SERVICE, THAT THE DOCUMENT WAS PRODUCED ON PAPER PURCHASED AS RECYCLED

☐ **BY FACSIMILE MACHINE:** I Tele-Faxed a copy of the original document to the above facsimile numbers.

☐ **BY OVERNIGHT MAIL:** With the envelope deposited with FedEx and delivery fees thereon fully prepaid.

☒ **BY ELECTRONIC MAIL:** I served the foregoing document by electronic mail to the email address(es) listed on the service list.

☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

Executed on August 7, 2024, at Costa Mesa, California.

/s/ Rhonda K. Viers

Rhonda K. Viers

SERVICE LIST

David Hough, et al v. Ryan Carroll, et al

Richard A. Nervig
Richard Nervig Law Offices, PC
501 West Broadway, Suite 800
San Diego, CA 92101

Attorneys for Plaintiff, David Hough

T: 760.390.2181
E: richard@gnerviglaw.com

Nico Banks
BANKS LAW OFFICE
712H St NE, Unit #8571
Washington, DC 20002

Attorneys for Plaintiff, David Hough

T: 971.678.0036
E: nico@bankslawoffice.com

William H. Shibley
LLOYD AND MOUSILLI PLLC
11807 Westheimer Road, Suite 550
PMB 944
Houston, TX 77077

***Attorneys for Defendants, Ryan Carroll,
Max K. Day, Max O. Day, Michael Day,
Yax Ecommerce LLC, Precision Trading
Group, LLC, WA Distribution LLC,
Providence Oak Properties, LLC, WA
Amazon Seller LLC, MKD Investment
Advisor, LLC, MKD Family Beneficiary,
LLC, MKD Family Private Management
Company, LLC, Max Day Consulting,
LLC, HouTex Farm Equity Partners
LLC, Business Financial Solutions
Advisory LLC, Evo Maxx LLC, Yax IP
Management Inc dba Fulfillable,
WWKB LLC, and Dreams To Reality
LLC***

T: 512.609.0059
E: william@lloydmousilli.com

1 Steven H. Bergman
2 RICHARDS BRANDT MILLER
3 NELSON
4 111 East Broadway, Suite 400
5 Salt Lake City, UT 84111

Attorneys for Defendant, Travis Marker

T: 801.531.2000
E: steven-bergman@rbmn.com
info@bergmanesq.com
debra-findlay@rbmn.com
mariah-letts@rbmn.com

6 David M. Gettings
7 TROUTMAN PEPPER HAMILTON
8 SANDERS LLP
9 222 Central Park Avenue, Suite 2000
10 Virginia Beach, VA 23462

Attorneys for Defendant, Wells Fargo Bank, N.A.

T: 757.687.7747
E: dave.gettings@troutman.com

11 Elizabeth Holt Andrews
12 TROUTMAN PEPPER HAMILTON
13 SANDERS LLP
14 Three Embarcadero Center, Suite 800
15 San Francisco, CA 94111

Attorneys for Defendant, Wells Fargo Bank, N.A.

T: 415.477.5700
E: elizabeth.andrews@troutman.com
litigationdocketrequests@troutman.com
felisa.lybarger@troutman.com

16 Michael S. Lowe
17 TROUTMAN PEPPER HAMILTON
18 SANDERS LLP
19 350 South Grand Avenue, Suite 3400
20 Los Angeles, CA 90071

Attorneys for Defendant, Wells Fargo Bank, N.A.

T: 213.928.9827
E: michael.lowe@troutman.com
kimberly.boring@troutman.com

21 Nicholas Joseph Schuchert
22 TROUTMAN PEPPER HAMILTON
23 SANDERS LLP
24 5 Park Plaza, Suite 1400
25 Irvine, CA 92614

Attorneys for Defendant, Wells Fargo Bank, N.A.

T: 949.622.2700
E: nicholas.schuchert@troutman.com
felisa.lybarger@troutman.com